

☒ R/W MANUAL CHANGE  
(1993 Edition)

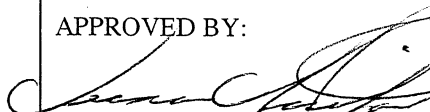
**RWMC- 142**

☐ PROCEDURAL HANDBOOK  
(1984 Edition)

RWPH-\_\_\_\_-\_\_\_\_-\_\_\_\_  
TRANSMITTAL#\_\_\_\_

TITLE:  
CONDEMNATION

APPROVED BY:

  
VERNON V. RHINEHART

DATE ISSUED:

**SEP 22 2004**

Page 1 of 1

SUBJECT AREA:  
CHAPTER 9 - CONDEMNATION

ISSUING UNIT:  
OFFICE OF RIGHT OF WAY PROJECT DELIVERY

SUMMARY OF CHANGES: Corrects several fields on CEFS Form RW 9-19 and updates Forms Table of Contents.

### **PURPOSE**

Several fields on CEFS Form RW 9-19 have been corrected as follows:

- Formula to total amount at "TOTAL AMOUNT OF THE DEPOSIT"
- Writable fields for "Date:" - "Print:>" - "Telephone:" at the three signature block areas
- Coding box title change from "DOCUMENT NUMBER" to "REFERENCE DOCUMENT"

This manual change issues the corrected version with an updated Table of Contents.

### **EFFECTIVE DATE**

Immediately.

### **MANUAL IMPACT**

- Remove the superseded pages and insert the attached pages in the Manual.
- Record the action on the Revision Record.

### **REVISION SUMMARY**

<b><u>Chapter</u></b>	<b><u>Remove Old Pages</u></b>	<b><u>Insert New/Revised Pages</u></b>
	Remove the following in its entirety:	Replace with the following in its entirety:
9 - Forms	Table of Contents (REV 5/2004) RW 9-19 (REV 3/2003)	Table of Contents (REV 9/2004) RW 9-19 (REV 9/2004)

# **CHAPTER 9**

## **Condemnation**

### **Table of Contents**

#### **FORMS**

<b><u>Form No.</u></b>	<b><u>Title</u></b>
RW 9-1	Notice of Intent to Adopt Resolution of Necessity
RW 9-2	Letter to Accompany Notice of Intent
RW 9-3	DORW Notice to Person(s) Requesting Appearance before the CTC
RW 9-4	DORW Notice to the District to Conduct a First Level Review
RW 9-5	District Notice to Owner of First Level Review
RW 9-6	DORW Notice to Owner of Second Level Review
RW 9-7	DORW Notice of CTC Appearance Schedule
RW 9-8	Resolution of Necessity Request
RW 9-9	Consent to Substitute Condemnation
RW 9-10	Substitute Condemnation for Private Utility Service or Access Road
RW 9-11	Consent to Condemnation of Excess Lands
RW 9-12	Consent to Acquisition of and Easement to Remove Improvements Straddling the Right of Way Line
RW 9-13	Proof of Service
RW 9-14	Declaration of Mailing (Summons)
RW 9-15	Declaration of Mailing (Notice of Intent)
RW 9-16	Acknowledgement of Receipt of Summons and Complaint
RW 9-17	Application for Fee Appraiser
RW 9-18	Independent Expert Claim
RW 9-19	Request for Transfer of Funds
RW 9-20	Condemnation Check Request - Invoice
RW 9-21	Release of Condemnation Deposit

**REQUEST FOR TRANSFER OF FUNDS**

RW 9-19 (REV 9/2004)

**TO:** 1. R/W Planning & Management Branch  
 2. R/W Accounting Section  
 3. HQ Cashiering  
 4. Forward to District R/W Planning and Management  
 5. Forward to R/W Acquisition/Condemnation

**Federal Project #****FEDERAL PARTICIPATION**

On the project ☐ Yes ☐ No  
 On the parcel ☐ Yes ☐ No

**A.R. #****FROM: RIGHT OF WAY ACQUISITION/CONDEMNATION**

It is requested that a deposit with the State Treasurer be  
 Executed for an Order for Possession in the following case:

**Dist****Co****Rte**

**People vs.  
 County of  
 Court Case No.**

**KP/PM****Parcel No****EA/SJ**

<b>CONDEMNATION DEPOSIT</b>		Federal Eligible <b>6090</b>	Federal Ineligible <b>7090</b>	<b>CERTIFICATION OF FUNDS</b> I hereby certify that budgeted funds are available for the period and purpose of the expenditure shown.	
<b>LAND:</b>	Right of Way			<b>Sign: &gt;</b>	<b>Date:</b> <b>Right of Way Accounting</b>
<b>IMPROVEMENTS:</b>	Right of Way				
	Personalty				
	Machinery and Equipment				
<b>DAMAGES</b>				<b>Previous Deposit(s)</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>GOODWILL</b>				<b>Amounts</b>	<b>Reference Documents</b>
<b>SUBTOTALS</b>				\$	<b>CO0</b>
<b>TOTAL AMOUNT OF THE DEPOSIT</b>		\$		\$	<b>CO0</b>
				\$	<b>CO0</b>

**NOTE:** Differences between requested deposits and approved appraisals or authorized appraisals are to be explained.

<b>CONDEMNATION AGENT:</b>				<b>CONDEMNATION SENIOR APPROVAL:</b>			
<b>Sign: &gt;</b>		<b>Date:</b>		<b>Sign: &gt;</b>		<b>Date:</b>	
<b>Print: &gt;</b>		<b>Telephone:</b>		<b>Print: &gt;</b>		<b>Telephone:</b>	

**RIGHT OF WAY PLANNING AND MANAGEMENT TO COMPLETE UNSHADED FIELDS**

TC	SRC DIST	UNIT	CHG DIST	EA	SUB JOB	SPECIAL DESIGNATION	F A	OBJ CODE	DOLLAR AMOUNT	FF Y	REFERENCE DOCUMENT	SUF FIX
211						1		090			CO0	
211						1		090			CO0	
212						1		090			CO0	

**R/W PLANNING & MANAGEMENT APPROVAL****Sign: >****Date:****Print: >****Telephone:**

**ACCOUNTING NOTE:** All data must be entered exactly as shown. Verify coding prior to entry into TRAMS. If any change is necessary, contact R/W Planning and Management who will fax a revised copy to R/W Accounting.

**ADA Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**INSTRUCTIONS FOR COMPLETING THE REQUEST FOR TRANSFER OF FUNDS  
(RW 9-19)**

The RW 9-19 form is completed before an Order for Possession (OP) can be requested through Superior Court. It is the only document necessary to process the Transfer of Funds through R/W Accounting.

The original form and a copy are forwarded to Planning and Management (P&M) for coding and funding review prior to sending to R/W Accounting for fund transfer. A **copy** is included in the official parcel file maintained in the Region/District.

**Right of Way Condemnation identifies R/W costs for Federal Aid eligibility and completes the following fields:**

- Federal project number, Federal participation on project and parcel
- District, County, Route
- Kilometer Post (KP)/Post Mile (PM), Parcel, Expenditure Authorization (EA)/Subjob  
(Formula for KP = 1.6093 X PM) (Formula PM = 0.6214 X KP)
- Grantor/Defendant Name
- County where suit is filed
- Court Case No. (if not assigned, PENDING)
- Apply appropriate charges to the FAE columns, subtotals and total.

*Eligible/ineligible* refer to Federal participation

**LAND: Right of Way/Right of Entry** - Acquisition Cost - enter value of land in R/W as indicated in the appraisal.

**IMPROVEMENTS: Right of Way** - enter value of improvements in R/W.

**Personalty** - insert the settlement amount of personal property acquired pursuant to manual section 8.06.05.

**Machinery & Equipment** - enter value of acquired items pertaining to realty.

**DAMAGES:**

**GOODWILL** - eligible for Federal participation.

- Previous Deposit - check YES or NO. If YES, provide amounts and document numbers for all previous deposits.
- Condemnation Agent will sign, date, print name and enter telephone number.
- Condemnation Senior will sign, date, print name and enter telephone number.

**Right of Way - Planning & Management completes the following fields:**

- Unshaded area of coding box.
- Planning and Management will sign the form indicating that the EA and FFY are set up in either EAS/COMS or TRAMS and that funding in Region/District allocation is available. Also, date, print name and telephone number.

**Division of Accounting - R/W Accounting completes the following fields:**

- Shaded areas of coding box.
- Accounting will sign and date in Certification of Funds box indicating that the R/W Accounting Liaison has confirmed through EAS/COMS or TRAMS that the EA is masterfiled and that funding is available. Accounting encumbers funds as well.